

# BakerHostetler

## Baker & Hostetler LLP

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January 19, 2024

### VIA EMAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General John Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Incident Notification*

Dear Attorney General Formella:

We are writing on behalf of our client, Foundation Building Materials, LLC (“FBM”), to notify you of a cybersecurity incident involving 136 New Hampshire residents.

FBM completed an acquisition of Marjam Supply Company (“Marjam”) on March 31, 2023. While in the process of integrating Marjam’s systems into FBM’s system, suspicious activity was identified within Marjam’s network. Upon discovering the incident, FBM took steps to secure the network, engaged a cybersecurity firm, and conducted an investigation. The investigation found evidence of unauthorized access to certain folders and files on Marjam’s network from May 1, 2023, to May 9, 2023. FBM conducted a review of the files and folders involved and, on December 7, 2023, identified files containing the

of 136 New Hampshire residents.

On January 14, 2023, letters were mailed to the New Hampshire residents via United States Postal Service First-Class mail. A copy of the notification letter is enclosed. FBM is offering one year of complimentary identity monitoring and identity theft prevention services through IDX to the individuals whose may have been involved. FBM also established a dedicated, toll-free incident response line to answer questions that letter recipients may have.

To prevent something like this from happening again, FBM is implementing additional safeguards and security measures.

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Please do not hesitate to contact me if you have any questions regarding this incident.

Sincerely,

John P. Hutchins

Partner

Enclosure

Foundation Building Materials  
P.O. Box 989728  
West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zip>>

January 19, 2024

Dear <<First Name>> <<Last Name>>:

Foundation Building Materials, LLC (“FBM”) is writing to notify you of an incident that involved your personal information. This notice explains the incident, measures we have taken, and some steps you may consider taking in response.

FBM completed an acquisition of Marjam Supply Company (“Marjam”) on March 31, 2023. While in the process of integrating Marjam’s systems into FBM’s system, suspicious activity was identified within Marjam’s network. Upon discovering the activity, steps were taken to secure the network and an investigation was commenced. A cybersecurity firm was engaged to assist. The investigation found evidence of unauthorized access to certain folders with files on Marjam’s network from May 1, 2023 to May 9, 2023. We reviewed the files in the folders and on December 7, 2023, determined that a file contained your name and <<Variable Text 1>>.

We have arranged for you to receive credit monitoring and identity protection services through the company IDX at no cost to you. These identity protection services include <<1-year/2-years>> of tri-bureau credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. These services are completely free to you and enrolling in this program will not hurt your credit score. **For more information on the services, including instructions on how to activate your complimentary membership, please visit <https://app.idx.us/account-creation/protect> or call \_\_\_\_\_ or scan the QR image and use the Enrollment Code provided above. Please note the deadline to enroll is \_\_\_\_\_.** For more information on identity protection and steps you can take in response, please see the additional information provided with this letter.

To help prevent something like this from happening again, we are implementing additional safeguards and security measures. If you have any questions, please call (888) 723-7850, Monday through Friday from 6:00 A.M. through 6:00 P.M. Pacific Time.

Sincerely,  
Foundation Building Materials, LLC

## ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity over the next twelve to twenty-four months. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

*Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111  
*Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742  
*TransUnion*, PO Box 1000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-888-4213

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

*Federal Trade Commission*, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), [www.identitytheft.gov](http://www.identitytheft.gov)

### ***Fraud Alerts and Credit or Security Freezes:***

**Fraud Alerts:** There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active-Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

**Credit or Security Freezes:** You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

*How do I place a freeze on my credit reports?* There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

*Equifax Security Freeze*, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)  
*Experian Security Freeze*, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)  
*TransUnion Security Freeze*, PO Box 160, Woodlyn, PA 19094, [www.transunion.com](http://www.transunion.com)

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

*How do I lift a freeze?* A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

Foundation Building Materials is located at 2520 Redhill Ave Santa Ana, CA, 92705 and can be reached at 714-380-3127.

**Additional information for residents of the following states:**

Connecticut: You may contact and obtain information from your state attorney general at: *Connecticut Attorney General's Office*, 165 Capitol Ave, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

District of Columbia: You may contact and obtain information from your attorney general at: Office of the Attorney General for the District of Columbia, 441 4th Street NW, Washington, DC 20001, 1-202-727-3400, [www.oag.dc.gov](http://www.oag.dc.gov)

Maryland: You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, <https://www.marylandattorneygeneral.gov/>

New York: You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, [www.ncdoj.gov](http://www.ncdoj.gov)

West Virginia: You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

A Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

You must be told if information in your file has been used against you.

You have the right to know what is in your file.

You have the right to ask for a credit score.

You have the right to dispute incomplete or inaccurate information.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.

Consumer reporting agencies may not report outdated negative information.

Access to your file is limited.

You must give your consent for reports to be provided to employers.

You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.

You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.

You may seek damages from violators.

Identity theft victims and active duty military personnel have additional rights.

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